

United States District Court
for
Middle District of Tennessee

Petition to Modify the Condition or Term of Supervision
(Probation Form 49 Waiver of Hearing on the Modification is attached)

Name of Offender: Ida Horton Case Number: 3:11-00102-01
Name of Judicial Officer: The Honorable E. Richard Webber, ED/MO. Jurisdiction accepted in MD/TN
on May 23, 2011, and assigned to the Honorable Todd J. Campbell, U.S. District Judge
Date of Original Sentence: March 24, 2011
Original Offense: 18 U.S.C. § 371 Conspiracy to Possess With the Intent to Use Five or More
Identification Documents, Unlawfully Use A Means of Identification of Another Person to Commit A
Crime, Commit Bank Fraud, and Commit Access Device Fraud
Original Sentence: 3 years' probation
Type of Supervision: Probation Date Supervision Commenced: March 24, 2011
Assistant U.S. Attorney: Jimmy Lynn Ramsaur Defense Attorney: to be determined


PETITIONING THE COURT

- To extend the term of supervision for two years, for a total of five years.

THE COURT ORDERS:

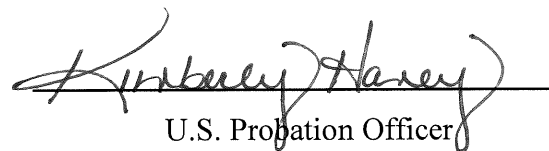
- ☐ No Action
☐ The extension of supervision as noted above.
☒ The modification(s) as noted above.
☐ Other

Considered this 13 day of
March, 2013, and made a part of the
records in the above case.



U. S. District Judge
Todd J. Campbell

I declare under penalty of perjury that
the foregoing is true and correct.
Respectfully submitted,



U.S. Probation Officer
Kimberly Haney

Place Nashville, Tennessee

Date March 11, 2013

ALLEGED VIOLATIONS

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **The defendant shall pay the restitution as ordered by the Court.**

Ms. Horton was ordered by the Court to pay restitution in the amount of \$85,450.28 in monthly installments of at least \$150 or no less than 10% of her gross income, whichever is greater. Ms. Horton has not paid her restitution as ordered by the Court. Her last payment was on October 7, 2011, in the amount of \$50.

Compliance with Supervision Conditions and Prior Interventions:

Ida Horton began her probation in the Middle District of Tennessee on April 1, 2011, after being sentenced in the Eastern District of Missouri on March 24, 2011. Her probation is scheduled to expire on March 23, 2014. Transfer of jurisdiction was accepted in this district on May 23, 2011, and assigned to the Honorable Todd J. Campbell, U.S. District Judge. This case was assigned to this officer in July 2012.

Ms. Horton was ordered to pay \$85,450.28 in restitution, joint and several with her codefendants. She has made one payment in the amount of \$50 on October 7, 2011; however, there has been a total of \$156 in payments toward the balance. On September 12, 2012, Ms. Horton advised she had paid \$90 towards her restitution. This officer instructed her to make regular monthly payments in the amount of \$150, as indicated in the judgment, and to provide this officer with copies of the money orders that are paid to the clerk's office. She stated she would start making regular payments in October 2012. According to the Eastern District of Missouri, the restitution balance is currently \$85,400.28. To date, Ms. Horton is approximately \$3,400 in arrears. She is employed at Country Inn and Suites as a front desk clerk, and she earns \$8 per hour. According to her 2012 W-2 wage and tax statement, she earned \$8,142 during the year.

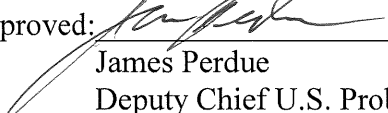
A staffing was held with Ms. Horton; this officer; and Kenneth Parham, then Supervisory U.S. Probation Officer, on February 8, 2013. Ms. Horton was strongly reprimanded for her failure to comply with her financial payment obligations as ordered by the Court and her non-compliance on supervision.

Ms. Horton is agreeable to the proposed modification of her release conditions, and she is agreeable to restitution payments being garnished from her pay check. This officer will contact the Financial Litigation Unit to initiate the garnishment process of Ms. Horton's restitution payments.

U.S. Probation Officer Recommendation:

It is recommended that the offender's release conditions be modified as indicated on page one of this petition.

The U.S. Attorney's Office has been advised of the offender's noncompliance and the probation officer's recommendation for modification of the release conditions. Jimmie Lynn Ramsaur, Assistant U.S. Attorney, is in agreement with the modification and the garnishment.

Approved: 
James Perdue
Deputy Chief U.S. Probation Officer

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

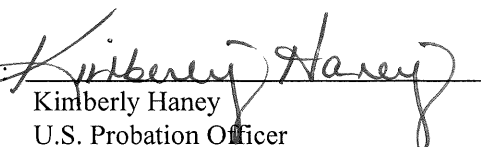
UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To extend the term of supervision for two years, for a total of five years.

Witness:


Kimberly Haney
U.S. Probation Officer

Signed:


Ida Horton
Probationer or Supervised Releasee

March 6, 2013

Date